

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESale PRICE
LITIGATION

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

THIS DOCUMENT RELATES TO ALL
ACTIONS

PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL

Plaintiffs, by their attorneys, respectfully move this Court for leave to file Exhibit A to their Reply in Support of Plaintiffs' Motion to Compel and for Finding that Documents and Testimony Related to Astrazeneca's Pricing, Marketing and Sales of its Products are not Protected by the Attorney-Client Privilege and Opposition to Astrazeneca's Cross-Motion for a Protective Order ("Exhibit A"), under seal.

1. Pursuant to Paragraph 14 of the Protective Order (Dec. 13, 2002), the parties may designate deposition testimony as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL."

Within thirty (30) days of receipt of the transcript, the deponent and/or his or her counsel may redesignate or remove such designation from the transcript.

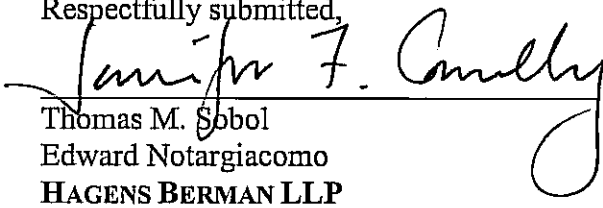
2. Plaintiffs' Reply cites to and quotes the deposition transcript of Nicholas Harsh.

3. Because of AstraZeneca's counsel's designation of the Harsh transcript as HIGHLY CONFIDENTIAL, plaintiffs respectfully request leave to file their Exhibit A under seal (and have done so contemporaneously with the filing of this motion).

WHEREFORE plaintiffs respectfully request that this Court grant them leave to file Exhibit A to their Reply in Support of Plaintiffs' Motion to Compel and for Finding that

Documents and Testimony Related to AstraZeneca's Pricing, Marketing and Sales of its Products are not Protected by the Attorney-Client Privilege and Opposition to AstraZeneca's Cross-Motion for a Protective Order under seal, and all other relief that this Court deems just and proper.

Dated: March 10, 2005

Respectfully submitted,
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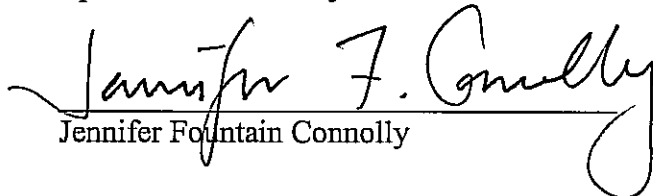
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CERTIFICATE OF SERVICE BY VERILAW

Docket No. MDL 1456

I, Jennifer Fountain Connolly, hereby certify that I am one of plaintiffs' attorneys and that, on March 10, 2005, I caused copies of Plaintiffs' Motion for Leave to File Under Seal to be served on all counsel of record by causing same to be posted electronically via Verilaw.


Jennifer Fountain Connolly

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Chief Mag. Judge Marianne B. Bowler

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL**

Having considered Plaintiffs' Motion for Leave to File Under Seal, it is hereby

ORDERED:

1. Plaintiffs may file Exhibit A to their Reply in Support of Plaintiffs' Motion to Compel and for Finding that Documents and Testimony Related to AstraZeneca's Pricing, Marketing and Sales of its Products Are Not Protected by the Attorney-Client Privilege and Opposition to AstraZeneca's Cross-Motion for a Protective Order, under seal.

DATED: _____

Hon. Marianne B. Bowler
United States Magistrate Judge